Docket No. 242336US0DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Akira YAMADA, et al.

SERIAL NO: 10/653,977 GAU: 1625

FILED: September 4, 2003 EXAMINER: Zinna Davis

FOR: AMIDE COMPOUNDS FOR THE POTENTIATION OF CHOLINERGIC ACTIVITY

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Astellas Pharma Inc. is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 012304, frame(s) 0499 and Corporate Merger. A copy of documents of merger (Certified English Translation, Certificate of All the Records Registered, and PTO 1595) is attached herewith. These documents show the merger of Fujisawa Pharmaceutical Co., Ltd as registered on April 1, 2005 and the establishment of Astellas Pharma Inc. registered on the same date. These documents of merger were filed for recordation with the U.S. Patent and Trademark Office on July 25, 2005 as shown by the attached filing receipt.

Astellas Pharma Inc. hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,664,293, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,664,293, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Astellas Pharma Inc. does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,664,293 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

07/29/2005 HALI11 00000020 10653977
01 FC:1814 130.00 OP

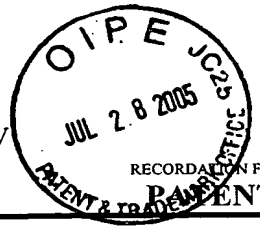
Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

7/28/05
Date Signed

Customer Number
22850
Tel. (703) 413-3000

Atty Docket No.: 242336US-0-DIV



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To the Director of the United States Patent and Trademark Office. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Fujisawa Pharmaceutical Co., Ltd.

Additional name(s) of conveying party(ies) attached? ☐ Yes ■ No

2. Name and address of receiving party(ies):

Name: Astellas Pharma Inc.

Address: 3-11, Nihonbashi-Honcho 2-chome
Chuo-ku
Tokyo, Japan

3. Nature of Conveyance:

☐ Assignment ■ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: April 1, 2005

Additional name(s) and address(es) attached? ☐ Yes ■ No

4. Application number(s) or patent number(s):

☐ This document is being filed together with a new application

A. Patent Application No.(s)
10/653,977

B. Patent No.(s)
6,664,293

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Customer Number
22850
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6. Total applications and patents involved: 2

7. Total fee (37 CFR 3.41): $80.00
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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Marvin J. Spivak
Name of Person Signing

Signature

7/25/05
Date

Registration Number: 24,913

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STATEMENT

Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Sir/Madam:

I, Katsunobu Ihara, of which postal address is ARK MORI BLDG, 13F, 12-32, Akasaka 1-chome, Minato-ku, Tokyo, Japan hereby state that:

I well understand the Japanese and English languages and attached is an accurate English translation made by me of the certified copy of the commercial register (Certificate of All the Records Registered) of Astellas Pharma Inc.

Date : July 1, 2005 Name : 井原 克誠

Katsunobu IHARA